

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

CHAMBERS OF  
JOSEPH J. FARNAN, JR.  
JUDGE

LOCKBOX 27  
844 KING STREET  
U.S. COURTHOUSE  
WILMINGTON, DELAWARE 19801

October 7, 2005

Dennis Lee Smith  
P.O. Box 311  
Selbyville, Delaware 19975

Bruce C. Herron, Esq.  
Akin & Herron, P.A.  
1220 North Market Street, #300  
P.O. Box 25047  
Wilmington, DE 19899

RE: Smith v. Baynard, et al.,  
C.A. No. 98-639-JJF

Dear Mr. Smith and Mr. Herron:

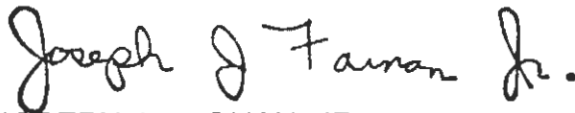
On June 8, 2005, the Court orally granted the Motion To Withdraw as counsel (D.I. 98) filed by Leonard Williams, Esq. and entered a subsequent Order permitting Mr. Williams to withdraw as counsel for Plaintiff in this action. (D.I. 100). On June 9, 2005, the Court granted the Motion To Strike filed by Defendant Guy Baynard and provided Plaintiff with leave to file a motion for reconsideration within 30 days of the date of the Court's Order. (D.I. 101).

On June 30, 2005, the Court received a letter from Mr. Williams, requesting that the Court amend the June 9th Order to provide Plaintiff with an additional 30 days to file a motion for reconsideration. In that letter, Mr. Williams indicating that Plaintiff's representation might be assumed by Jeffrey Martin, Esquire.

To date, Mr. Martin has not entered an appearance in this case, and a motion for reconsideration has not been filed by or on behalf of Plaintiff. Accordingly, the Court requests the parties to provide the Court with the status of this action **no later than Monday, October 24, 2005.**

Dennis Lee Smith  
Bruce C. Herron, Esq.  
October 7, 2005  
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Sincerely,

A handwritten signature in black ink that reads "Joseph J. Farnan Jr." with a stylized flourish at the end.

JOSEPH J. FARNAN, JR.

JJFjr:rjp  
cc: Clerk, United States District Court